

AMENDED IN SENATE MAY 1, 2012  
AMENDED IN SENATE APRIL 18, 2012  
AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1203**

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**Introduced by Senator Calderon**

February 22, 2012

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An act to add Section 23151 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1203, as amended, Calderon. Vehicles: driving under the influence: reward for reporting.

**Existing**

(1) *Existing* law prohibits any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, from driving a vehicle, or any person who has 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle.

This bill would establish a reward of \$100 for a person who reports a ~~drunk driver upon conviction of the driver~~ *who is later convicted of driving under the influence as specified above*. The bill would require the court to order the offender to pay the reward. The bill would *also* require that the identity of the person who reports *such a* ~~drunk~~ driver not be disclosed to the driver or any other person unless required by law and then only upon a determination by the court that the disclosure is constitutionally required, except *that* the bill would require the law enforcement agency that receives the report to provide the reward recipient's identifying information to the agency responsible for ~~dispensing~~ *disbursing* the reward. *By expanding the duties of local law*

*enforcement officials, the bill would impose a state-mandated local program.*

*The bill would require that the reward be paid only after victim restitution and every other fine, penalty, assessment, reimbursement, or forfeiture imposed pursuant to a conviction for driving under the influence have been paid and collected in full as provided by law.*

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) One person is killed every half hour due to drunk driving.
- 4 (b) Each year approximately 16,000 persons are killed in
- 5 alcohol-related crashes.
- 6 (c) Alcohol is a factor in almost one-half of all traffic fatalities.
- 7 (d) Every other minute a person is seriously injured in an
- 8 alcohol-related crash.
- 9 (e) The reporting of drunk drivers is of the highest importance
- 10 in reducing the number of deaths and injuries that result from
- 11 alcohol-related crashes.
- 12 (f) Every person should be encouraged to report drunk drivers
- 13 to law enforcement agencies as a community response to the
- 14 dangers of drinking and driving.
- 15 (g) In order to encourage people to report drunk drivers and
- 16 thereby reduce the harm caused by drunk drivers on the road, the
- 17 Legislature finds that it is necessary to reward a person who reports
- 18 a ~~drunk~~ driver who is as a result subsequently convicted of a drunk
- 19 driving offense.
- 20 (h) The Legislature also finds that it is necessary to protect, to
- 21 the greatest extent possible, the identity of the 911 caller who
- 22 receives a reward from any possible retaliation or threats of harm
- 23 for having reported a drunk driver to a law enforcement agency.

1 SEC. 2. Section 23151 is added to the Vehicle Code, to read:

2 23151. (a) The person who reports a driver who is later  
3 convicted of a violation of Section 23152 or 23153 shall, upon  
4 conviction of the offender, receive a reward of one hundred dollars  
5 (\$100). The court shall order that the driver pay the reward in  
6 addition to any other penalty imposed by law for a violation of  
7 Section 23152 or 23153.

8 (b) The identity of the person who reported a driver pursuant  
9 to subdivision (a) shall not be disclosed to the driver or any other  
10 person unless required by law and then only upon a determination  
11 by the court that the disclosure is constitutionally required.

12 (c) Notwithstanding subdivision (b), the Department of the  
13 California Highway Patrol or any other law enforcement agency  
14 that receives a report of a ~~drunk~~ driver pursuant to subdivision (a)  
15 shall provide the reward recipient's identifying information to the  
16 local or state agency responsible for ~~dispensing~~ *disbursing* the  
17 reward.

18 (d) *Notwithstanding any other law, the reward authorized*  
19 *pursuant to subdivision (a) shall be paid only after victim*  
20 *restitution and every other fine, penalty, assessment,*  
21 *reimbursement, or forfeiture imposed pursuant to a conviction for*  
22 *a violation of Section 23152 or 23153 have been paid and collected*  
23 *in full as provided by law.*

24 SEC. 3. *No reimbursement is required by this act pursuant to*  
25 *Section 6 of Article XIII B of the California Constitution because*  
26 *the only costs that may be incurred by a local agency or school*  
27 *district will be incurred because this act creates a new crime or*  
28 *infraction, eliminates a crime or infraction, or changes the penalty*  
29 *for a crime or infraction, within the meaning of Section 17556 of*  
30 *the Government Code, or changes the definition of a crime within*  
31 *the meaning of Section 6 of Article XIII B of the California*  
32 *Constitution.*